

Fliedner
10/735,836

REMARKS

The undersigned requests a personal interview with the Examiner in charge of this application.

The election made by Mr. Kroll on the telephone on April 1, 2005 is hereby affirmed.

Claim 8 was objected to because of an informality. This claim has been canceled.

Claims 1-8 were rejected as being unpatentable over the Canadian Patent 2,298,246 in view of Cayton 4,452,450.

The Canadian patent shows billiard ball racks involving multiple racks joined together in a unitary structure. None of the individual racks are circular and none of the circular walls of the different racks are in direct contact with each other.

Cayton has a single circular rack for billiard balls.

In the present invention, in one preferred embodiment, two circular racks have their outer walls in contact with each other. Even if the references are combined as done in the rejection, this configuration would not result.

In view of the excellent art cited by the Examiner, claim 1 has been extensively amended to recite these distinguishing features, calling for the outer surface of the first wall being in direct contact with the outer surface of the second wall.

Claims 6-8 have been canceled. The remaining depending claims add details and should be allowed along with claim 1.

New claims 13-14 have been added directed to the embodiment of Figs. 11-12, in which flexible straps form the two circular racks and a rigid plate joins the two flexible racks. It does not appear that this construction is taught or suggested anywhere in the art of record. The Examiner briefly discusses this feature (which originally was in claim 8, now canceled), referring to the Canadian patent. The latter, however, does not teach the use of flexible straps to form racks.

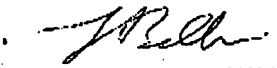
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In view of the foregoing, it is believed that the claims now in the case clearly distinguish over the art of record and should be allowed.

A conscientious effort has been made to place this application in condition for immediate allowance. The Examiner is requested to call the undersigned or Mr. Kroll if further changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,



LEONARD BELKIN

Reg. No. 18,063

Tel 301-254-8549

for

Michael I. Kroll

Reg. No. 26,755

171 Stillwell Lane

Syosset, NY 11791

Tel 516-367-7777

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CERTIFICATE OF FAXING

I hereby certify that this correspondence is being facsimile transmitted to the U. S. Patent and Trademark Office, telephone number 571-272-8300 on Sept. 1, 2005.



Leonard Belkin